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November 19, 2001

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Commissioner for Patents  
Washington, D.C. 20231

**Hand-Carry**  
**Art Unit 1636**

Re: U.S. Utility Patent Application  
Appl. No. 09/855,797; Filed: May 16, 2001  
For: **Recombinational Cloning Using Nucleic Acids Having Recombination Sites**  
Inventor: Hartley *et al.*  
Our Ref: 0942.285000G/BJD/MTT

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement (*in duplicate*);
2. Form PTO-1449 citing 247 references (62 sheets);
3. One copy of each of the cited references; and
4. One (1) Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Commissioner for Patents  
November 19, 2001  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a stylized flourish at the end.

Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/MTT/dnk  
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hartley *et al.*

Appl. No. 09/855,797

Filed: May 16, 2001

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Art Unit: 1636

Examiner: *To be assigned*

Atty. Docket: 0942.285000G/BJD/MTT

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**Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AM1, AL2 and AM2 cited on Form PTO 1449:

Document AL4, published PCT WO 98/53056 is in the German language. An English language abstract of document AL4 is attached as document AR62.

Document AO4, published PCT WO 99/25851 is in the Japanese language. An English language abstract of document AO4 is attached as document AS62.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application and before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
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Date: Nov. 19, 2001

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